

The Court **ORDERS** that this case **SET** for a case management conference pursuant to Federal Rule of Civil Procedure 16 before the undersigned United States Magistrate Judge on

**Wednesday, October 1, 2014, at 2:00 p.m.** in Courtroom #6 of the Jack Brooks Federal Building, 300 Willow Street, Beaumont, Texas. The parties may appear in person or by telephone for the management conference. If appearing by phone, the parties are directed to contact the Court's law clerk at [alexandra\\_mcnicholas@txed.uscourts.gov](mailto:alexandra_mcnicholas@txed.uscourts.gov) by **September 29, 2014**, with contact information where counsel may be reached telephonically for the management conference.

The parties must include the following matters in the joint conference report:

1. A factual and legal description of the case that sets forth the elements of each cause of action and each defense;
2. The date the Rule 26(f) conference was held, the names of those persons who attended, and the parties they represented;
3. A list of any cases related to this case pending in any state or federal court, identifying the case numbers and courts along with an explanation of the status of those cases;
4. An agreed discovery/case management plan, if agreement can be reached, which will be used by the court to prepare a Scheduling Order (use the sample "Proposed Scheduling Order", attached herein as an example). The parties are encouraged to submit a completed Scheduling Order with their joint conference report, including proposed deadlines for the following:
  - a. Joining additional parties;
  - b. Filing amended pleadings;
  - c. Disclosing expert testimony pursuant to FED. R. CIV. P. 26(a)(2) and Local Rule CV-26(b);

- d. Completing all discovery;
  - e. Filing motions, including motions to transfer, to remand, to exclude or limit expert testimony, to dismiss, and for summary judgment;
5. A suggested date for the Final Pretrial Conference (see attached list of the court's available Final Pretrial Conference dates), at which time trial will be scheduled before the undersigned if the parties consent to trial before a magistrate judge. If the parties do not consent to trial before a magistrate judge, the case will be set for trial before a District Judge; and
6. The expected length of trial and whether it will be to a jury or the bench.

The joint conference report must be signed by counsel for each party and by any unrepresented parties. All parties should keep in mind that the failure to participate fully in the Rule 26(f) conference or to submit the joint conference report on a timely basis may result in the imposition of sanctions authorized by FED. R. CIV. P. 16(f).

It is so ordered.

**SIGNED this the 5th day of August, 2014.**

  
\_\_\_\_\_  
KEITH F. GIBLIN  
UNITED STATES MAGISTRATE JUDGE

---

UNITED STATES DISTRICT COURT \* \* \* \* \* EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

---

TERRY MOYE,

*versus*

CREDIT PROTECTION ASSOC.,

§  
§  
§  
§  
§

CIVIL ACTION NO. 9:14-CV-58

**PROPOSED SCHEDULING ORDER**

The following schedule shall be followed. All communications concerning the case shall be directed to Alexandra McNicholas, law clerk to Judge Giblin. Ms. McNicholas may be contacted at (409) 654-2847 or alexandra\_mcnicholas@txed.uscourts.gov.

1. \_\_\_\_\_ NEW PARTIES shall be joined, without leave of court, by this date. (A motion for leave to amend is required when adding a party that destroys the Court's jurisdiction).
2. \_\_\_\_\_ The pleadings shall be AMENDED, without leave of court, by this date.
3. \_\_\_\_\_ PLAINTIFF shall designate EXPERT WITNESSES in writing and provide expert reports by this date.
4. \_\_\_\_\_ DEFENDANT shall designate EXPERT WITNESSES in writing and provide expert reports by this date.
5. \_\_\_\_\_ DISCOVERY shall be completed by this date.
6. \_\_\_\_\_ MOTION CUT-OFF. Aside from motions in limine, no motion, including motions to exclude or limit expert testimony, shall be filed after this date except for good cause shown. Without leave of court, a party may file only one summary judgment motion. **(This date must be at least 2 weeks after the discovery completion date.)**
7. \_\_\_\_\_ The JOINT PRETRIAL ORDER, including motions in limine and a proposed charge or proposed findings of fact and conclusions of law, shall be filed and proposed trial exhibits shall be exchanged on or before this date. (See Appendix D to the Local Rules for the Eastern District of Texas for a form Pretrial Order). **(This date must be at least 12 weeks after the motion cut-off.)**
8. \_\_\_\_\_ OBJECTIONS TO proposed exhibits, witnesses, and deposition excerpts, as well as responses to motions in limine, shall be filed by this date. **(This date must be no more than 1 week after the Joint Pretrial Order is due.)**
9. \_\_\_\_\_ FINAL PRETRIAL CONFERENCE at 10:00 a.m before United States Magistrate Judge Keith F. Giblin, Courtroom No. 6, United States Courthouse, 300 Willow Street, Beaumont, Texas. **(Select a date from the attached list, which must be at least 2 weeks after the Joint Pretrial Order is due.)** The case will be set for Trial at the Final Pretrial Conference. The parties should be prepared to try the case by this date.
10. \_\_\_\_\_ Estimated time to try before a jury/the court. **(Underline one.)**

SIGNED at Beaumont, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

KEITH F.GIBLIN  
UNITED STATES MAGISTRATE JUDGE

**Final Pretrial Conference dates for United States Magistrate Judge Keith F. Giblin**  
(Select one of the dates listed below to complete Number 10 of the Scheduling Order)

November 19, 2014

December 17, 2014

January 21, 2015

February 18, 2015

March 18, 2015

April 15, 2015

May 20, 2015

June 17, 2015

July 15, 2015

August 19, 2015

September 16, 2015

October 21, 2015

November 18, 2015

December 16, 2015

January 20, 2016

February 17, 2016

March 16, 2016

April 20, 2016

May 18, 2016

June 15, 2016

July 20, 2016

August 17, 2016

September 21, 2016

October 19, 2016

November 16, 2016

December 21, 2016